

Form PTO-1390 (Rev. 01-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER TAM-053
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. 10/540,503 (unofficial) ✓
INTERNATIONAL APPLICATION NO. PCT/JP2003/016523	INTERNATIONAL FILING DATE December 24, 2003	PRIORITY DATE CLAIMED December 24, 2002	
TITLE OF INVENTION SUGAR CHAIN ASPARAGINE DERIVATIVES, SUGAR CHAIN ASPARAGINE, SUGAR CHAIN, AND PROCESSES FOR PRODUCING THESE			DATE July 25, 2005
APPLICANT(S) FOR DO/EO/US Yasuhiro KAJIHARA, Kazuaki KAKEHI and Kazuhiro FUKAE			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). (* pages and * sheets of drawings (Fig(s). *-*)).</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(C)(3))</p> <p style="margin-left: 20px;">a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 20px;">b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 20px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 20px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information:</p> <p style="margin-left: 20px;">a. PCT/IB/338</p> <p style="margin-left: 20px;">b. PCT/IPEA/409 (English Translation)</p>			

U.S. Application No. 10/540,503 (unofficial)		International Application No. PCT/JP2003/016523		Attorney's Docket No. TAM-053	
				CALCULATIONS	PTO USE ONLY
The following fees are submitted: 21. <input type="checkbox"/> Basic National Stage Fee \$300.00					
22. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by UPSTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00					
23. <input type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00					
TOTAL OF 21, 22 AND 23 =				\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
National Stage Application Size Fee - If the specification and drawings exceed 100 sheets, the application size fee due is \$250.00 for each additional 50 sheets or fraction thereof.					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20		x \$ 50.00	\$ 0.00	
Indep. claims	- 3		x \$ 200.00	\$ 0.00	
Multiple dependent claim(s) (if applicable)			+ \$ 360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 130.00	
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUB TOTAL =				\$ 130.00	
Processing fee \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$ 170.00	
10/540,503 00000000 00000000 10/540,503				Amount to be refunded: \$	
				charged \$	
<p>a. <input checked="" type="checkbox"/> Payment in the amount of <u>\$170.00</u> is authorized by credit card (PTO-2038).</p> <p>b. <input type="checkbox"/> Check in the amount of <u>\$0.00</u> to cover the above fees is enclosed.</p> <p>c. <input type="checkbox"/> Please charge my Deposit Account No. <u>111833</u> in the amount of \$_____ to cover the above fees.</p> <p>d. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>111833</u>.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to review (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%;"> <p>SEND ALL CORRESPONDENCE TO:</p> <p>KUBOVCIK & KUBOVCIK The Farragut Building Suite 710 900 17th Street, N.W. Washington, D.C. 20006</p> </div> <div style="width: 35%; text-align: right;"> Signature Keiko Tanaka Kubovcik Name 40,428 Registration Number July 25, 2005 Date </div> </div>					

#6
1AP3 Rec'd PCT/PTO 03 JAN 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PCT

Appl. No. : 10/540,503 Confirmation No. 2741
Applicant : Yasuhiro KAJIHARA et al.
Filed : July 25, 2005
TC/A.U. : Unknown
Examiner : Unknown
Dkt. No. : TAM-053
Cust. No. : 20374

RESPONSE TO AND REQUEST FOR WITHDRAWAL OF
NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 3, 2006

Sir:

Declaration and Fee for Late Declaration (Not Required)

In response to the Notification of Missing Requirements dated November 3, 2005, applicants note that the Notification was issued improperly. The declaration for this application was filed in the United States Patent and Trademark Office on July 25, 2005, with a payment for a late declaration fee of \$130.00 (that was paid by credit card with Form PTO-2038 in an amount of \$170.00 including the fee for recordation of assignment (\$40.00)) as a second submission of items.

U.S. Patent Appln. S.N. 10/540,503
RESPONSE TO AND REQUEST FOR WITHDRAWAL OF
NOTIFICATION OF MISSING REQUIREMENTS

PATENT

As evidence that the declaration and late declaration fees were filed on July 25, 2005, a copy of a "Receipt of Filing of Papers" with the OIPE date stamp of July 25, 2005, is enclosed. The receipt identifies the declaration as being submitted in a second submission of items on July 25, 2005. Also enclosed, for the convenience of the Office, is a copy of the declaration for the above-identified application that was filed on July 25, 2005.

Conclusion

As stated above, all of the requirements for acceptance under 35 U.S.C. §371 were satisfied prior to issuance of the Notification on November 3, 2005. Applicants request that the Notification be withdrawn and that the office issue a notice advising that the requirements for acceptance under 35 U.S.C. §371 were completed on July 25, 2005.

All 371 requirements were completed on July 25, 2005. Therefore, the Office should assign a 371(c) date of July 25, 2005. It is improper for the Office to assign a 371(c) date other than July 25, 2005, e.g., the date of filing of the present paper.

A Filing Receipt is also respectfully requested for this application.

In the event that this paper is not considered to be timely

U.S. Patent Appln. S.N. 10/540,503
RESPONSE TO AND REQUEST FOR WITHDRAWAL OF
NOTIFICATION OF MISSING REQUIREMENTS

PATENT

filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833. Please charge any additional required fees or credit any overpayment to our Deposit Account No. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



Keiko Tanaka Kubovcik
Reg. No. 40,428

Atty. Docket No. TAM-053
The Farragut Building
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: 202-887-9023
Fax: 202-887-9093
KTK/jbf

Enclosures: Notification of Missing Requirements
Copy of Receipt w/ OIPE Date Stamp of July 25, 2005
Copy of Declaration

Rec'd PCT/PTO 03 JAN 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,503	Yasuhiro Kajihara	TAM-053

20374
 KUBOVCIK & KUBOVCIK
 SUITE 710
 900 17TH STREET NW
 WASHINGTON, DC 20006

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NOV 13 2005

BANNER WITCOFF

INTERNATIONAL APPLICATION NO.	
PCT/JP03/16523	
I.A. FILING DATE	PRIORITY DATE
12/24/2003	12/24/2002

CONFIRMATION NO. 2741

371 FORMALITIES LETTER



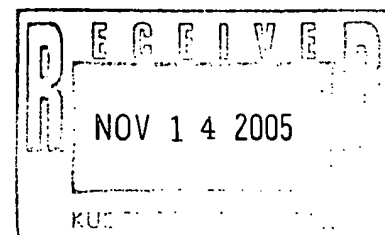
OC000000017357125

Date Mailed: 11/03/2005 *Due: 1/3/06*

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2005
- English Translation of the IA filed on 06/23/2005
- Copy of the International Search Report filed on 06/23/2005
- Copy of IPE Report filed on 06/23/2005
- Preliminary Amendments filed on 06/23/2005
- Information Disclosure Statements filed on 06/23/2005
- U.S. Basic National Fees filed on 06/23/2005
- Priority Documents filed on 06/23/2005
- Specification filed on 06/23/2005
- Claims filed on 06/23/2005
- Abstracts filed on 06/23/2005



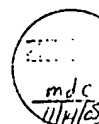
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

DOCKETED BY: <i>R0130</i>
DATE: <i>11.14.05</i>



Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,503	PCT/JP03/16523	TAM-053

FORM PCT/DO/EO/905 (371 Formalities Notice)

RECEIPT OF FILING OF PAPERS

COPY

PATENT APPLICATION

Mail Stop PCT

In re the application of:

Yasuhiro KAJIHARA et al.

International Application No. PCT/JP2003/016523

I.A. Filing Date: December 24, 2003

U.S. Serial Number: 10/540,503 (unofficial)

Atty. Dkt. Number: TAM-053

Customer No.: 20374



PAPERS FILED HEREWITH:

Application Transmittal for Second
Submission of Items

(With Declaration, Assignment with Cover
Sheet, PCT/IB/338 and PCT/IPEA/409
(English Translation))

PTO-2038 for \$170.00

KUBOVCIK & KUBOVCIK
The Farragut Building
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Tel: (202) 887-9023
Fax: (202) 887-9093
KTK/jbf/cjn

Date: July 25, 2005

(DKT: August 2, 2005)

BEST AVAILABLE COPY

